

Article - Transportation

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§16–204.

(a) (1) In this section the following words have the meanings indicated.

(2) “Law enforcement agency” has the meaning stated in § 13-406.1(a)(2) of this article.

(3) “Outstanding warrant” has the meaning stated in § 13-406.1(a)(3) of this article.

(4) “Primary law enforcement officer” has the meaning stated in § 13-406.1(a)(4) of this article.

(b) Subject to subsection (h) of this section, on notification by a law enforcement agency that an individual is named in an outstanding warrant, the Administration shall suspend the individual’s license or privilege to drive in the State.

(c) (1) Before suspending a license or privilege to drive under subsection (b) of this section, the Administration shall send written notice of the proposed action to the individual named in the outstanding warrant, including notice of the individual’s right to contest the accuracy of the information on which the suspension is based.

(2) Any contest under this subsection shall be limited to whether the Administration has mistaken the identity of the individual named in the outstanding warrant or the individual whose license or privilege to drive has been suspended.

(d) (1) An individual named in an outstanding warrant may appeal a decision of the Administration under this section to suspend the individual’s license or privilege to drive.

(2) At a hearing under this subsection, the only issue shall be whether the Administration has mistaken the identity of the individual named in the outstanding warrant or the individual whose license or privilege to drive has been suspended.

(e) An individual shall be referred to the law enforcement agency that notified the Administration of the outstanding warrant to resolve any question of whether the warrant has been satisfied.

(f) (1) The Administration shall continue the suspension of a license or privilege to drive that was suspended under this section until:

(i) The Administration is ordered by a court to reinstate the license or privilege to drive; or

(ii) A law enforcement agency notifies the Administration that:

1. The individual named in the outstanding warrant has been arrested; or

2. The outstanding warrant has been otherwise satisfied.

(2) On receipt of an order or notice under paragraph (1) of this subsection, the Administration shall reinstate a license or privilege to drive unless the license or privilege has been refused, revoked, suspended, or canceled under any other provision of the Maryland Vehicle Law.

(g) (1) The Administration, in consultation with the primary law enforcement officers of the State, shall adopt regulations to implement this section.

(2) The regulations shall include:

(i) Criteria that a law enforcement agency must meet prior to notifying the Administration that an individual is named in an outstanding warrant;

(ii) A procedure for informing an individual named in an outstanding warrant:

1. That the individual's license or privilege to drive has been suspended; and

2. Of the manner in which the individual may contest or resolve the suspension;

(iii) A procedure which must be followed by the law enforcement agency to notify the Administration of changes in the status of an outstanding warrant; and

(iv) A procedure for the Administration to carry out the suspension of a license or privilege to drive as authorized under this section.

(h) If a law enforcement agency meets the criteria established under subsection (g) of this section, the Administration shall enter into an agreement with the appropriate primary law enforcement officer that provides for the notification to the Administration of individuals named in outstanding warrants.

(i) The procedures specified in this section are in addition to any other penalty provided by law for the failure to meet the demands specified in a warrant.

(j) This section may not be construed to require the Administration to arrest an individual named in an outstanding warrant.

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